

1 LAWRENCE A. ORGAN (SBN 175503)  
2 larry@civilrightsca.com  
3 NAVRUZ AVLONI (SBN 279556)  
navruz@civilrightsca.com  
3 **CALIFORNIA CIVIL RIGHTS LAW GROUP**  
4 332 San Anselmo Avenue  
San Anselmo, California 94960  
5 Telephone: 415.453.4740  
Facsimile: 415.785.7352

7 BARBARA I. ANTONUCCI (SBN 209039)

bantonucci@constangy.com

8 PHILIP J. SMITH (SBN 232462)

psmith@constangy.com

9 AARON M. RUTSCHMAN (SBN 288273)

arutschman@constangy.com

10 **CONSTANGY, BROOKS, SMITH &**

11 **PROPHETE, LLP**

351 California, Suite 200

12 San Francisco, CA 94104

Telephone: 415.918.3000

13 Attorneys for Defendant,

14 CITISTAFF SOLUTIONS, INC.

15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**

18 DEMETRIC DI-AZ, OWEN DIAZ and LAMAR  
PATTERSON, an individual

20 Plaintiff,

21 vs.

22 TESLA, INC. DBA TESLA MOTORS, INC.;  
CITISTAFF SOLUTIONS, INC.; WEST VALLEY  
23 STAFFING GROUP; CHARTWELL STAFFING  
SERVICES, INC. and DOES 1-10, inclusive,

24 Defendants.

CASE NO.: 3:17-cv-06748-WHO

26 **STIPULATION AND ORDER RE:  
DEFENDANT CITISTAFF SOLUTIONS,  
INC.'S ANSWER TO PLAINTIFFS' FIRST  
AMENDED COMPLAINT**

27 [Assigned to Hon. William H. Orrick]

28 Complaint Filed: October 16, 2017

FAC Filed: December 26, 2018

Trial Date: November 18, 2019

## **STIPULATION**

Plaintiffs Demetric Di-az and Owen Diaz (“Plaintiffs”), and Defendant CitiStaff Solutions, Inc. (“CitiStaff”) (collectively CitiStaff and Plaintiffs referred to as the “Parties”) hereby stipulate as follows:

**WHEREAS**, on October 16, 2017, Plaintiffs filed their Complaint in the Superior Court of California for the County of Alameda;

**WHEREAS**, on November 22, 2017, CitiStaff filed its Answer to Plaintiffs' Complaint in the Superior Court of California for the County of Alameda, attached hereto as Exhibit 1;

**WHEREAS**, on December 14, 2018, the parties filed a Stipulation And [Proposed] Order Allowing Plaintiffs to File An Amended Complaint To Add New Party NextSource, Inc. As A Defendants; And To Continue Trial Date From May 13, 2019 to October 28, 2019 And Trial-Related Deadlines;

**WHEREAS**, on December 20, 2018, this Court ordered that Plaintiffs may file an amended complaint adding NextSource, Inc. as a party to the action and continued the trial date and trial related deadlines;

**WHEREAS**, on December 26, 2018, Plaintiffs filed their First Amended Complaint adding NextSource, Inc. as a party to the action, but otherwise did not amend any of the substantive allegations as against CitiStaff;

**WHEREAS**, on January 7, 2019, the Parties filed a Stipulation To Extend Defendant CitiStaff Solutions, Inc.'s Time To Respond To Plaintiffs' First Amended Complaint pursuant to Civil Local Rule 6-1(a);

**WHEREAS**, Plaintiffs have agreed that, because the changes in the First Amended Complaint are minor and do not substantially affect the allegations against CitiStaff, CitiStaff's answer to Plaintiffs' original Complaint may be deemed its answer to Plaintiffs' First Amended Complaint to avoid unnecessarily repetitive pleadings;

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1           **NOW THEREFORE**, Plaintiffs and CitiStaff, by and through their respective counsel,  
2 hereby stipulate and agree, and respectfully request, that the Court issue an order that CitiStaff's  
3 answer to Plaintiff's original Complaint, attached hereto as Exhibit 1, is deemed its answer to  
4 Plaintiffs' First Amended Complaint.

5           **IT IS SO STIPULATED.**

6           DATED: January 11, 2019

7           **CALIFORNIA CIVIL RIGHTS LAW GROUP**

8           By: /s/ Lawrence Organ  
9           Lawrence A. Organ  
10           Navruz Avloni  
11           Attorneys for Plaintiffs  
12           DEMETRIC DI-AZ and OWEN DIAZ

13           DATED: January 11, 2019

14           **CONSTANGY, BROOKS, SMITH & PROPHETE,  
15 LLP**

16           By: /s/ Aaron M. Rutschman  
17           Barbara Antonucci  
18           Aaron M. Rutschman  
19           Attorneys for Defendant  
20           CITISTAFF SOLUTIONS, INC.

21           I hereby attest that I obtained concurrence in the filing of this document from each of the  
22 other signatories on this e-filed document.

23           Dated: January 16, 2019

24           **CONSTANGY, BROOKS, SMITH & PROPHETE, LLP**

25           By /s/ Aaron M. Rutschman  
26           Aaron M. Rutschman

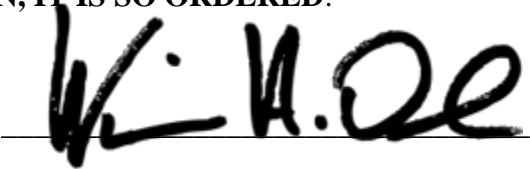
1  
2                   **ORDER**  
3

4                   Based upon the foregoing Stipulation, and for good cause appearing thereon, the Court  
5 orders as follows:

6                   CitiStaff's Answer to Plaintiff's original Complaint, filed in the Superior Court of the State  
7 of California For the County of Alameda and attached hereto as Exhibit 1, is deemed its answer to  
8 Plaintiffs' First Amended Complaint;

9                   **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

10                  DATED: January 18, 2019

11                    
12                  Hon. William H. Orrick